

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI**

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|----------------------------|
| FILED |
| DATE: <u>09/02/10</u> |
| <u>9:25 O'Clock A.M.</u> |
| JEANNE HICKS, CLERK |
| BY: <u>HEATHER SMITH</u> |
| Deputy |

DIVISION: 6

JEANNE HICKS, CLERK

By HON. WARREN R. DARROW

By: Heather Smith, Deputy Clerk

CASE NO. P1300CR20081339

DATE: September 2, 2010

TITLE:

COUNSEL:

STATE OF ARIZONA

(Plaintiff)

Yavapai County Attorney (e)

(For Plaintiff)

Vs.

STEVEN CARROLL DEMOCKER

(D-1)

John Sears (e)

(Defendant)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial – Day 43

NATURE OF PROCEEDINGS

COURT REPORTER

Ashlee Mangum

START TIME: 9:25 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant
Steven Carroll Democker, Defendant in Custody

At 9:25 a.m., Court reconvenes with both County Attorneys, all Defense Counsel, and the Jury Panel present.

Alexis Brown resumes testifying, having previously been sworn.

Counsel for State moves for the admission of exhibit 3233. Counsel for Defendant objects. Exhibit 3233 is not admitted at this time.

Court and Counsel meet at sidebar, off the record, outside the presence of the Jury Panel.

Counsel for State moves for the admission of exhibit 3236. Counsel for Defendant has no objection. Exhibit 3236 is admitted.

Counsel for State moves for the admission of exhibit 3224. Counsel for Defendant has no objection. Exhibit 3224 is admitted.

Court reminds the Jury Panel of the admonition. The Jury Panel shall return at 10:45 a.m.

At 10:21 a.m., the Jury exits the Courtroom.

Court, Counsel and Defendant remain.

Court and Counsel discuss some recent objections as to the witness's testimony and exhibits.

Objections are sustained at this time.

Court and Counsel discuss exhibit 3233.

Counsel for State no longer wishes to have exhibit 3233 admitted.

Parties to take a 10 minute recess.

***** Recess at 10:42 a.m. *****

At 10:59 a.m., Court reconvenes with both County Attorneys, all Defense Counsel, and the Jury Panel present.

Alexis Brown resumes testifying, having previously been sworn.

Court reminds the Jury Panel of the admonition. The Jury Panel shall return at 1:20 p.m.

***** Noon Recess at 12:01 p.m. *****

At 1:25 p.m., Court reconvenes with both County Attorneys, all Defense Counsel, and the Jury Panel present.

Alexis Brown resumes testifying, having previously been sworn.

Court and Counsel meet at sidebar, off the record, outside the presence of the Jury Panel.

Court reminds the Jury Panel of the admonition. All parties shall return at 3:10 p.m.

***** Recess at 2:48 p.m. *****

At 3:13 p.m., Court reconvenes with both County Attorneys, all Defense Counsel, and the Jury Panel present.

Alexis Brown resumes testifying, having previously been sworn.

Counsel for Defendant moves for the admission of exhibit 3244. Counsel for State has no objection. Exhibit 3244 is admitted.

Court offers questions from the Jury Panel.

Court will take a recess to discuss jury questions with Counsel.

Court reminds the Jury Panel of the admonition. The Jury Panel shall be present at 4:15 p.m.

At 3:56 p.m. the Jury Panel exits the courtroom.

Counsel for State re-offers exhibits 3232 and 3235.

Counsel for Defendant continues to object.

Court sustains the objection at this time.

Court and Counsel discuss jury questions.

At 4:25 p.m., the Jury Panel enters the Courtroom.

Court relays the questions to the witness.

Witness is excused at this time, however; is subject to recall. Court reminds the witness of the rule excluding witnesses.

Court reminds the Jury Panel of the admonition. The Jury Panel shall return at 9:00 a.m. tomorrow, Friday, September 3, 2010.

At 4:53 p.m., the Jury Panel exits the Courtroom.

Court directs Counsel to read the preliminary jury instructions in regards to the juror issue, particularly the admonition and Rule 18.6 and the comments.

Court adjourns at 4:55 p.m.

cc: Dean Trebesch (Contract Administrator) (PD) (e)
Christopher DuPont, Trautman DuPont PLC,
Counsel for Victims Charlotte and Katherine DeMocker
YCSO – Detention Records (e)
Victim Services (e)
John Napper, Counsel for Renee Girard(e)
Division 6